

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS VALLEY,

Defendant.

ORDER

11-cr-133-bbc

Defendant Thomas Valley filed a motion for compassionate release under the First Step Act of 2018 on December 21, 2020. The United States filed a brief in opposition on January 6, 2021, but it appears that defendant did not file a brief in reply. (He submitted a letter to the court on January 8, 2021, dkt. # 126, but it is only a question about whether the court had received his motion for compassionate release.) Defendant's motion was denied on January 19, 2021, because he had not show both that he had an extraordinary and compelling reason to justify his release and that he was not a danger to the safety of any other person or the community. He now seeks reconsideration.

Defendant was sent a letter from the court on January 15, 2021, acknowledging receipt of his motion, but he did not receive that letter or either of the other items he had requested before he received the court's ruling, dkt. #128, and he did not receive a copy of the government's response until one day after that. Dkt. #129, attachment #1.

Because defendant did not have an opportunity to file a reply brief, the order denying his motion for compassionate release will be withdrawn. He may have until May 10, 2021, in which to file a brief in reply to the government's brief in opposition to his motion for compassionate release.

ORDER

IT IS ORDERED that defendant Thomas Valley may have until May 10, 2021 in which to file a brief in reply to the government's brief in opposition to his motion for compassionate release.

Entered this 26th day of April, 2021.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge